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8                   UNITED STATES DISTRICT COURT  
9                   WESTERN DISTRICT OF WASHINGTON  
10                  AT SEATTLE

11                  CHINOOK INDIAN NATION, et al.,

12                  Plaintiffs,

13                  v.

14                  DEB HAALAND, et al.,

15                  Defendants.

16                  CASE NO. C17-5668 MJP

17                  ORDER RE: JOINT STATUS  
18                  REPORT DKT. NO. 156

19                  The Court issues this Order in light of the Parties' Joint Status report filed on May 7,  
20 2024. (Dkt. No. 156.) In the Report, the Parties note that all steps necessary for the distribution  
21 of assets held in trust for the Lower Band of Chinook and Clatsop Indians have been completed  
22 and that the assets have been distributed to and received by Plaintiff Chinook Indian Nation.  
23 (JSR at 1-2.) The Parties agree that the Court may enter judgment on the claims as follows:

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- 24                  • Claim for Relief I should be dismissed;
  - 25                  • Claim for Relief II should be "granted with respect to Plaintiffs' allegation that  
26                          the decision not to adopt a proposed regulation modifying the re-petitioning ban

1           was arbitrary and capricious and the matter is remanded to the Department of  
2           Interior for further evaluation consistent with Court's order";

- 3           • Claim for Relief III should be dismissed;  
4           • Claim for Relief IV should be dismissed;  
5           • Claim for Relief V should be dismissed;  
6           • Claim for Relief VI should be dismissed as moot;  
7           • Claim for Relief VII should be dismissed as moot; and  
8           • Claim for Relief VIII should be dismissed as moot.

9           The Court agrees with the Parties' proposal as to the entry of judgment. The Court  
10 therefore DIRECTS the Clerk to enter judgment on the terms set forth above.

11           The Court notes that the Parties disagree as to whether the Court should retain  
12 jurisdiction over the remanded claim. To resolve this question, the Court ORDERS the following  
13 briefing schedule:

- 14           1. Plaintiffs must file a motion asking the Court to retain jurisdiction, which shall be  
15           filed by no later than May 29, 2024. The motion may not exceed six pages or 2,100  
16           words.  
17           2. Defendants must file their opposition by no later than June 4, 2024. The response  
18           must not exceed six pages or 2,100.  
19           3. Plaintiffs may then file a reply by no later than June 7, 2024, which shall not exceed  
20           three pages or 1,050 words.

21           The Court also notes that it will consider Plaintiffs' request for attorneys' fees, should it  
22 be timely filed.

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The clerk is ordered to provide copies of this order to all counsel.

Dated May 9, 2024.

Wesley P. Beckman

Marsha J. Pechman  
United States Senior District Judge